

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| Applicant | : Kagan et al.   |
| App. No   | : 10/698,148   |
| Filed     | : October 31, 2003   |
| For       | : APPARATUS AND METHODS FOR<br>TREATMENT OF MORBID OBESITY |
| Examiner  | : Phillip A. Gray  |
| Art Unit  | : 3767   |
| Conf No.  | : 2819   |

**AMENDMENT, INTERVIEW SUMMARY AND RESPONSE TO OFFICE ACTION****Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the non-Final Office Action mailed February 19, 2009, Applicants respectfully submit the following paper. Please enter the following amendments and consider the following remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Summary of Interview** begins on page 5 of this paper.

**Remarks** begin on page 6 of this paper.